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REMARKS

Claims 1 - 14 stand rejected under 35 U.S.C. §103(a) as being anticipated by Addison et al in view of Cruickshank. The Examiner's review is most appreciated. In view of the above amendment and following remarks, the Examiner is respectfully requested to reconsider the outstanding rejection and allow the present application to issue.

The present invention provides an apparatus and method for tilting a pot with respect to a warming plate. This is accomplished by tilting one portion of the pot using a small wedge, while maintaining a minority of the pot in point contact with the warming plate. In contrast to the present invention, the Addison et al patent discloses a set of spring fingers which lift the pot entirely from the warming surface, an amount determined by weight within the pot. There is no attempt to tilt the pot, nor to maintain point contact with the plate. Furthermore, there is no teaching of the spacer being wedge-shaped, nor of the spacer having a thickness less than an elevation of a pot retaining feature. This much the Examiner and applicant agree upon.

The Examiner relies upon Cruickshank for the teaching of a spacer capable of tilting the pot, being in the shape of a wedge, being rectangular from a top view, and being thinner than an elevation of a pot retaining feature. Applicant's representative respectfully requests that the Examiner review the referenced figures in Cruickshank more carefully. The cited figures 2, 5, 6, 8 and 10 are all sectional views taken along a diameter line passing through the very center of the heat distributor. The Examiner will observe the descriptions of the figures on page 1 in lines 48 - 54 and the section lines shown in each of the non-section drawings.

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Consequently, while figure 2 may have appeared to the Examiner at first blush to be illustrating a wedge shape, it is instead illustrating the concave surface of figure 1 by cross-section. Each of Cruickshank's embodiments illustrate full surface spacers which, like Addison et al, raise the pot fully from the warming plate.

Claim 1 as presently amended requires a minority of the pot base to be in contact with the warming surface, while original claim 7 recites that the pot base be in point contact with the heating base, and original claim 12 recites that the minority portion of the pot bottom be supported upon the spacer while a second minority portion be upon the warming surface. The Examiner alleges that Cruickshank is capable of tilting the pot. However, there is no teaching of the same in Cruickshank, even at the sections referenced by the Examiner. Furthermore, both Cruickshank and Addison et al provide a fully circular surface, which entirely spaces the pot from any contact with the surface. In view of the recitations of each of the independent claims, requiring contact with the warming surface, the Examiner is respectfully requested to reconsider the present rejection.

The further features recited by the applicant in the original claims provide additional novel benefit not found in either Cruickshank nor Addison et al. For exemplary purposes, there is no teaching of the spacer being wedge-shaped, nor of the spacer having a thickness less than an elevation of a pot retaining feature. The former feature helps to ensure compatibility with a large number of existing pots being used every day, while the latter feature helps to ensure safety of usage. More specifically, the Examiner will observe that in Addison et al, as the pot is emptied, and becomes lighter, the pot will be raised off of the surface by spring action. Unfortunately, and most particularly with regard to the embodiments of figures 1 -

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9 of Addison, the pot will become most unstable. The support for the pot is out of a point in the middle of the pot. Any slight shifting of the pot may lead to the pot either sliding or readily being knocked from the support, potentially dangerously spilling very hot liquid. Even in the case of the embodiment of figures 10 - 12, the pot will encounter no obstacles which could prevent the pot from being displaced from the warming surface, such as by an accidental bumping or snagging of the pot handle by a passer-by. In contrast, consumer and commercial warming surfaces have ridges or other geometries which surround the warming surface and which nest the pot therein, thereby essentially preventing accidental displacement. The present invention most preferably is sufficiently thin, such as shown in applicant's figure 1, to not lift the pot above this retaining ring, and to also retain a portion of the contact directly with the retaining ring.

The preferred wedge shape achieves these benefits, while also ensuring better stability of the pot, even when supported by a proportionally small wedge, and additionally ensures reasonable force distribution along the wedge surface. These and other features and benefits are recited in the claims and described in the present specification. Since none of the references illustrate or offer any motivation for combining any of the cited patents to produce the presently claimed invention, nor features which would be conducive to such combination, and in view of the present amendment and remarks, the Examiner is respectfully requested to reconsider the rejection of record and allow the present application to issue. No new matter is introduced. However, should there remain any open issues in this application which might be resolved by telephone, the Examiner is respectfully requested to call the undersigned at 320-363-7296 to further discuss the

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advancement of this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Albert W. Watkins', with a stylized, cursive script.

Albert W. Watkins

reg. 31,676